

RECLAMATION

Managing Water in the West

DRAFT FINDING OF NO SIGNIFICANT IMPACT

San Justo Reservoir Access Road Repair Project

FONSI-10-22

Recommended by:

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In accordance with the National Environment Policy Act of 1969, as amended, the South-Central California Area Office of the U.S. Bureau of Reclamation (Reclamation) has determined that an environmental impact statement is not required for the proposed action to repair the damaged road accessing San Justo Reservoir Dam. The project would repair cracks and slumping in the roadway that need to be repaired to maintain accessibility to the dam and to ensure emergency access is available. This Finding of No Significant Impact (FONSI) is supported by Reclamation's Environmental Assessment (EA) Number 10-22, *San Justo Reservoir Access Road Repair Project*, dated May 2010, and is hereby incorporated by reference.

Background

The San Justo Reservoir (Reservoir), owned by the U.S. Bureau of Reclamation (Reclamation), is operated by San Benito County Water District (SBCWD) to provide agricultural, municipal, and industrial water to its customers in San Benito County. The Reservoir, part of California's Central Valley Project-San Felipe Division, is an off-stream storage reservoir comprised of a dam and dike embankment, an inlet/outlet works, and an emergency spillway. The Reservoir and its associated features are located approximately 2 miles southwest of Hollister.

Land surrounding the Reservoir is owned by Reclamation, with private holdings in the adjacent areas. Soils in the vicinity of the Reservoir have complex stratification and can be unstable, sometimes slumping and permitting seepage loss from the Reservoir. Consequently, the dam and dike facilities and land surrounding the Reservoir are heavily monitored under a safety of dams program.

An asphalt paved access road that extends from Union Road (a San Benito County-maintained Road) to the Reservoir provides for year-round access to the dam, dike, and facilities. This roadway is accessed primarily by Reclamation and SBCWD personnel for maintenance and monitoring. Limited vehicle access is allowed to the public and for service vehicles to access private lands southwest of the Reservoir. Cracked and slumping pavement near the dam underwent emergency repairs as recently as 2006, however deterioration of the roadway continues and there is a need to maintain accessibility to the dam for maintenance, monitoring, and to ensure emergency access is available.

Reclamation proposes to approve the San Justo Reservoir Access Road Repair Project. The Proposed Action would repair the damaged roadway, providing access to the San Justo Reservoir Dam and other facilities. Repairs would be conducted between June and the end of October, 2011. Reclamation's finding that implementation of the Proposed Action will result in no significant impact to the quality of the human environment is supported by the following findings:

FINDINGS

***Hydrology and Water Quality**

The Proposed Action does not involve work in a live stream. Work would be conducted during the typically dry months from June through the end of October, would not be conducted during precipitation events, and can be accomplished in less than four months. Erosion control measures would be implemented to protect against potential storm water runoff under a grading permit required by San Benito County. Reclamation also would submit a Notice of Intent to the CCRWQCB, and implement a Storm Water Pollution Prevention Plan (SWPPP) required under a Statewide General Permit No. CAS000002, which would include Best Management Practices specified in the SWPPP. Together, these measures would limit any effects to the watershed of the Proposed Action Area so hydrology and water quality would not be significantly affected.

***Air Quality**

Impacts to air quality would be short-term pollutant emissions of CO, NO_x, SO₂, VOCs, and PM₁₀ related to diesel engine exhaust from construction. Air emissions from the Proposed Action calculated as 1.21 tons NO_x, 0.71 tons CO, 0.16 tons ROV's, and 0.51 tons PM₁₀ do not exceed standards. The Monterey Bay Unified Air Protection Control District is in attainment for all current federal air quality standards and the Proposed Action would implement Environmental Protection Measures (listed in Table 2-1, EA 10-22) recommended by the air district. Because emissions would not exceed EPA conformity thresholds and measures to minimize emissions would be implemented, the Proposed Action would not significantly affect air quality.

*** Global Climate Change**

The Proposed Action would introduce greenhouse gas (GHG) emissions primarily through the combustion of diesel fuel by earthmoving and construction equipment, including trucks. The GHG emissions from construction activities would be short-term pollutant emissions, primarily of CO₂. The calculated CO_{2e} are well below the Environmental Protection Agency's threshold for annually reporting GHG emissions (25,000 metric tons/year), which is a surrogate for a threshold of significance (EPA 2009). Accordingly, the Proposed Action would result in below *de minimis* impacts respecting global climate change. **Biological Resources**

The Proposed Action would disturb approximately 0.6 acres of asphalt paved roadway and less than 2 acres of vegetated habitat, comprised of mostly introduced annual grasses. The amount of ground disturbance to vegetated areas would be minimized. The short duration of disturbance to previously disturbed ground would have minimal impact on most wildlife and plant species. A plan to revegetate the disturbed area would be implemented, using native vegetation if available, limiting impacts to the habitat. Impacts are expected to be ameliorated as they would occur within one growing season, during a period (dry months of limited vegetation growth), which would be followed by winter rains and augmented natural rejuvenation from the heavy seedbank of introduced annual grasses.

The Proposed Action would not affect designated critical habitat because of none is present in the Action Area. The Proposed Action also would not affect most listed species or special status species because they do not occur within the Proposed Action area and would not be affected by

the Proposed Action. However, effects to three federally listed species were identified. Reclamation included Environmental Protective Measures (EPM's), including surveys for San Joaquin kit fox (*Vulpes macrotis mutica*), and seasonal, weather, and work hour limitations which restrict work during the Proposed Action and are protective of these species. These measures and other avoid or minimize effects to SJKF and California red-legged frog (*Rana* (= *Rana aurora draytonii*) *draytonii*) and Reclamation determined that these listed species were not likely to be adversely affected by the Proposed Action. Reclamation also concluded that the California tiger salamander (*Ambystoma californiense*; CTS) may be adversely affected, with destruction of burrows from that provide habitat for CTS and could be inhabited by CTS and therefore Reclamation formally consulted with Service on effects of the Proposed Action to CTS. Service has issued a Biological Opinion on the Proposed Action, concurring that SJKF and CRLF were not likely to be adversely affected. Service concluded the Proposed Action was not likely to jeopardize the continued existence of CTS because few, if any, CTS are likely to be killed or injured as a result of protective activities, and Reclamation will implement numerous minimization and avoidance measures to reduce adverse effects of the proposed project on CTS. Waters inhabited by listed fish species would not be affected by the Proposed Action. Consequently, effects to listed species would not be significant.

EPM's are included for protection of migratory birds and requirements for compliance with the Migratory Bird Treaty Act (MBTA) would be met, so the Proposed Action would not have significant effects on migratory birds.

***Traffic**

Haul routes for materials would follow the advice from the San Benito County Public Works Department. There would be a slight increase in truck traffic along anticipated routes commonly used by commercial vehicles. Construction traffic would comprise a small percentage of the total existing traffic and would not cause the level of service to degrade. Dump trucks may slow traffic along the steep grade on Union Road, but the dedicated right-turn lane onto San Justo Reservoir Road should minimize this effect. Increases in traffic volume would be temporary and implementation of Environmental Protection Measures (EPM's) (EA 10-22; Table 2-1) would reduce these minor effects. The residents traveling to and from Union Rd via the paved road to be repaired in the Proposed Action Area could be mildly affected by construction delays, but with implementation of the planned EPM's, these effects would be minimal.

***Indian Trust Assets**

The nearest Indian Trust Asset (ITA) to the Proposed Action Area is Lytton Rancheria, which is approximately 92 miles northwest of the Proposed Action Area. The Proposed Action would therefore not affect ITA's.

***Cultural Resources**

Reclamation conducted a records search for the area of potential effect and no historic properties were identified as present, therefore this action has no potential to cause effect to historic properties pursuant to the regulations at 36 CFR Part 800.4(d)(1). The Proposed Action area, which is previously disturbed ground, was surveyed for cultural resources on August 17, 2005 (Cultural Resources Report [CCR] 05-39) and no cultural resources were identified in the area

of potential effect. There are no known archeological resources at San Justo Reservoir and therefore the Proposed Action would have no effect on cultural resources.

***Socioeconomic Resources**

Implementation of the Proposed Action would ensure emergency vehicle access to the Dam and monitoring access, enabling SBCWD to effectively maintain and operate the Reservoir for water releases to municipal, industrial, and agricultural water users. Continued function of the Reservoir contributes to local job opportunities and benefits socioeconomic resources in surrounding communities, although socioeconomic resources would not be expected to change with implementation of the proposed action.

***Environmental Justice**

The Proposed Action would temporarily affect residents west of the reservoir that use the road to access their properties. Few residences would be affected and it would not disproportionately affect minority and low income populations because residences west of the reservoir are not known to be disproportionately occupied by minority or economically disadvantaged populations.

***Cumulative Impacts**

The Proposed Action was found to not impact hydrology or water quality, Indian Trust Assets, cultural resources, socioeconomics, or environmental justice, and therefore the Proposed Action would not contribute to cumulative impacts on these resource areas.

Minimal temporary impacts to air quality, climate change, and traffic were identified from the Proposed Action. The estimated CO₂ emissions from the Proposed Action is roughly 112.5 metric tons per year, which is well below the 25,000 metric tons per year threshold for reporting GHG emissions and as a result, the Proposed Action is not expected to contribute significantly to cumulative adverse impacts to global climate change. When considered with other reasonably foreseeable future actions, the Proposed Action would not cumulatively contribute to significant impacts of air quality, climate change or traffic.

The Proposed Action would affect biological resources, although Reclamation incorporated environmental avoidance and protection measures to avoid or minimize impacts to these resources. Reclamation consulted with Service on effects to listed species and would implement provisions from the Biological Opinion for the protection of listed species. Impacts from the project would contribute cumulatively to impacts on CTS in the region, however, the effects to CTS, including cumulative effects, were considered in Service's Biological Opinion which found that the Proposed Action would not jeopardize the species.

Other wildlife species would be incrementally affected by the San Justo Reservoir Access Road Repair Project, through the temporary disturbance of vegetated habitat and disturbance from project activities. However, because the impacts would occur over less than 2 acres, would be of short duration, and measures by Reclamation under the Proposed Action would be implemented to avoid or minimize impacts to the area and vegetation, including planned revegetation of areas that are disturbed, the contribution to cumulative impacts would be minimal and not significant.

Overall, approval of the Proposed Action would not have highly controversial or uncertain environmental effects or involve unique or unknown environmental risks. Given the short-term nature of the proposed road repair project, impacts to the previously discussed resource categories associated with the Proposed Action would be temporary in nature, and would not contribute to a cumulatively significant adverse impact when added to other past, present and reasonably foreseeable future actions.